

HIGH COURT OF CHHATTISGARH, BILASPUR

- State Of Chhattisgarh Through- Police Station- Sakti, District- Janjgir-Champa, Chhattisgarh.

Versus

- Vivekdas Manikpuri S/o Kaushaldas Aged About 24 Years R/o Thathari, P.S. Baradwar, Tahsil- Sakti, District- Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant-State :- Mr. K.K. Singh, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya

Order On Board
By

Prashant Kumar Mishra, J.

13/07/2020

1. The trial Court has acquitted the accused of the charge under Section 376 (2)(b) of the I.P.C.
2. The prosecutrix aged about 23 years lodged FIR on 04.04.2019 alleging commission of rape on promise to marry from July, 2018 to January, 2019.
3. The trial Court has found that there was no promise to marry from the beginning thus there was no fraud and deception at

the inception. It has also been found that prosecutrix being a grown up girl aged about 23 years has entered into consensual relationship on regular basis for substantial length of time and thus lodged the report after about three months i.e. on 04.04.2019 despite the last relation having been occurred on 22.01.2019.

4. Having heard learned State counsel and on perusal of record, we are also of the view that prosecutrix being a grown up girl had entered into consensual relation out of her own free will, as there was no fraud or deception at the time when their relationship seeded.
5. No case for grant of leave to appeal is made out. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-

(Prashant Kumar Mishra)
Judge

SD/-

(Gautam Chourdiya)
Judge

Ayushi